



22 NOV 2005

#5

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

In re Application of ITO et al :  
U.S. Application No.: 10/539,798 :  
PCT Application No.: PCT/JP03/16179 :  
Int. Filing Date: 17 December 2003 : DECISION  
Priority Date Claimed: 20 December 2002 :  
Attorney Docket No.: 274123US0PCT :  
For: POLYESTER RESIN COMPOSITION FOR :  
TONER AND TONER :

This is in response to the correspondence filed 20 June 2005, which is being treated as a petition under 37 CFR 1.182.

**BACKGROUND**

On 17 December 2003, applicant filed international application PCT/JP03/16179, which claimed priority of an earlier Japan application filed 20 December 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 08 July 2004. The thirty-month period for paying the basic national fee in the United States expired on 20 June 2005.

On 11 August 2005, applicant filed the present petition under 37 CFR 1.182.

**DISCUSSION**

MPEP 605.04(c) states in relevant part,

In cases where an inventor's name has been changed after the application has been filed and the inventor desires to change his or her name on the application, he or she must submit a petition under 37 CFR 1.182. . . . The petition must include an appropriate petition fee and an affidavit signed with both names and setting forth the procedure whereby the change of name was effected, or a certified copy of the court order.

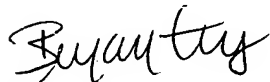
The family name of the third inventor is listed in the international application as "Harada" but is listed in the declaration as "Tamura". Applicant has submitted a proper petition under 37 CFR 1.182 and an affidavit signed with both names and setting forth the procedure whereby the name change was effected.

### CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 17 December 2003, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 11 August 2005.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.



Bryan Tung  
PCT Legal Examiner  
Office of PCT Legal Administration

Telephone: 571-272-3303

Facsimile: 571-273-0459